

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

FILED
U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

2019 MAR 19 PM 4:45

4:19CR
3032
OFFICE OF THE CLERK

INDICTMENT

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRANDI J. BAXTER,

Defendants.

18 U.S.C. § 641
18 U.S.C. § 1001(a)(3)

The Grand Jury charges:

INTRODUCTION

1. At all times material to this Indictment, BRANDI J. BAXTER was a resident of the federal District of Nebraska.

2. BRANDI J. BAXTER executed a scheme to defraud the U.S. Social Security Administration (SSA) and the Nebraska Department of Health and Human Services (NDHHS).

3. Social Security Disability (SSI) is a resource-based program providing monthly benefits to people with limited income and resources who are disabled. Benefit eligibility for SSI is determined in part on all available resources, assets, income, and living arrangements.

4. The scheme was effectuated through a series of factual concealments by BRANDI J. BAXTER. Specifically, BRANDI J. BAXTER concealed on numerous occasions that her husband JESSE BAXTER, was residing in the family home located in Grand Island, Nebraska, at an address made fully known to the grand jury.

5. The scheme also included the application and approval of Social Security Disability (SSI) benefits for the daughter of the Defendant, T.L. BAXTER, whose full name is known to the

Grand Jury. T.L. BAXTER was medically approved by SSA pursuant to a July 7, 2015, determination by the Social Security Administration.

6. On the application for T.L. Baxter, Defendant, BRANDI J. BAXTER reported that Jesse Baxter no longer lived with BRANDI J. BAXTER.

7. The scheme also included BRANDI J. BAXTER providing false information that Jesse Baxter did not live in the family home, to the SSA concerning a redetermination of Social Security benefits for another daughter of the Defendant, N.N.B, whose full name is known to the Grand Jury.

8. The scheme also included applications to the Nebraska Department of Health and Human Services for public assistance benefits by BRANDI J. BAXTER. She applied for and received SNAP (formerly known as food stamps) assistance through the Nebraska Department of Health and Human Services.

9. BRANDI J. BAXTER falsely represented to the Nebraska Department of Health and Human Services that Jesse Baxter no longer resided in the family home, resulting in the approval of benefits to which she was not entitled.

10. The Grand Jury incorporates the Introduction above and further alleges as follows:

COUNT I

11. From on or about February 28, 2011, and continuing through on or about November 1, 2015, in the District of Nebraska, defendant, BRANDI J. BAXTER, did knowingly and willfully steal, purloin and convert money of the Social Security Administration, a department or agency of the United States, namely Social Security Supplemental Security Income ("SSI") payments to which the defendant knew she was not entitled, having a value of approximately \$19, 433.24.

In violation of Title 18, United States Code, Section 641.

COUNT II

12. On or about August 24, 2016, in the District of Nebraska, the defendant, BRANDI J. BAXTER, did knowingly and willfully make and use a false writing and document, knowing the same to contain a materially false, fictitious and fraudulent statement in a matter within the jurisdiction of the Social Security Administration, in that the defendant, BRANDI J. BAXTER, presented a Form SSA-795 to the Social Security Administration which contained the materially false representation, to wit, that Jesse Baxter did not live at her address, when in truth and fact, as defendant BRANDI J. BAXTER then well knew, defendant BRANDI J. BAXTER and Jesse Baxter have and did live together at the Grand Island address known to the Grand Jury.

In violation of Title 18, United States Code, Section 1001(a)(3).

COUNT III

13. From on or about June, 2013, and continuing through on or about October, 2015, in the District of Nebraska, defendant, BRANDI J. BAXTER, did knowingly and willfully steal, purloin and convert money of the United States Department of Agriculture, a department or agency of the United States, namely Supplemental Nutrition Assistance Program (SNAP) benefits to which the defendant knew she was not entitled, having a value of approximately \$18,632.00.

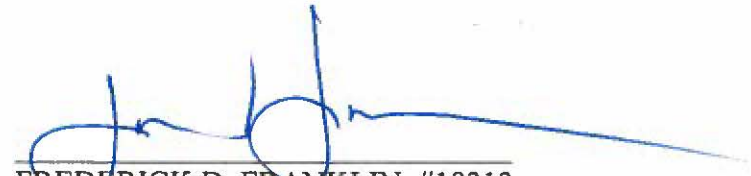
In violation of Title 18, United States Code, Section 641.

A TRUE BILL.

FOREPERSON

The United States of America requests that trial of this case be held in Lincoln, Nebraska, pursuant to the rules of this Court.

By:



FREDERICK D. FRANKLIN, #18313
Assistant U.S. Attorney